

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CLINTON HENDRIX,  
Plaintiff,

v.

BERKELEY FARMS LLC, et al.,  
Defendants.

Case No. [18-cv-02382-VC](#)

**ORDER GRANTING MOTIONS TO  
DISMISS**

Re: Dkt. Nos. 12, 13

Clinton Hendrix's claims are barred by the doctrine of claim preclusion (otherwise known as res judicata). Hendrix has filed complaints arising out of these facts at least twice before – once before this Court in 2014 and once before Judge Gilliam earlier this year. In both cases, the complaints were dismissed and final judgment was entered against him. *See Hendrix v. Berkeley Farms Inc.*, No. 4:18-cv-00935-HSG, Dkt. Nos. 4, 8; *Hendrix v. Berkeley Farms LLC*, No. 3:14-cv-03659-VC, Dkt. Nos. 15, 21. To the extent Hendrix's opposition can be construed to argue that "fraudulent concealment" prevents dismissal, it is not clear what the nature of that fraud is and why it would prevent claim preclusion from applying.

Further, even if Hendrix's claims were not dismissed on claim preclusion grounds, they would almost certainly be barred by the statutes of limitations. And although it appears that Hendrix may not have intended to have named the union as a defendant (Dkt. No. 32), claim preclusion would bar any claims against the union as a defendant in this action as well.

Accordingly, Hendrix's complaint is dismissed without leave to amend, and no further

filings will be permitted in this case.<sup>1</sup>

**IT IS SO ORDERED.**

Dated: July 11, 2018

A handwritten signature in black ink, appearing to read 'Vince', is positioned above a horizontal line.

VINCE CHHABRIA  
United States District Judge

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<sup>1</sup> Berkeley Farms's request for judicial notice is granted. Fed. R. Evid. 201.